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5 Attorneys for Defendant
6 WALMART INC.

7 UNITED STATES DISTRICT COURT
8
9 DISTRICT OF NEVADA

10 LEE KIRK,

11 Plaintiff,

12 v.

13 WALMART INC., an Arkansas corporation;
14 ROE CORPORATIONS 1 to 10,

15 Defendants.

Case No. 2:23-cv-00020-APG-EJY

16 **STIPULATION AND ORDER TO DISMISS ACTION WITH PREJUDICE**

17 Plaintiff LEE KIRK ("Plaintiff") and Defendant WALMART INC. ("Defendant"), by and
18 through their respective counsel of record, hereby stipulate and agree to the dismissal of this action
19 in its entirety, with prejudice, with each party to bear its own costs and attorneys' fees.

20 The parties agree that neither party shall be deemed to be a prevailing party in this action

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1 and that neither party will file for an award of attorneys' fees or costs pursuant to any rule, statute,
2 or law, whether local, state, or federal, in any forum that would be available.

3 Dated: September 21, 2023

Dated: September 21, 2023

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5 JONATHAN D. ROVEN

LITTLER MENDELSON P.C.

6
7 /s/ Jonathan D. Roven

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14 LEE KIRK



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Attorneys for Defendant
WALMART INC.

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17 IT IS SO ORDERED:



18 UNITED STATES DISTRICT JUDGE

19 DATED: September 22, 2023
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